

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE **INTRODUCTION AND ADMINISTRATION ELEMENT** (TO REVISE AND ADD GREENWAYS AND LINKED OPEN SPACE DEFINITIONS; TO CLARIFY THE RESIDUAL PARCEL DEFINITION; TO ADD A DEFINITION REGARDING RECREATIONAL AND COMMERCIAL WORKING WATERFRONTS; TO REMOVE BOARD OF ADJUSTMENT REFERENCES); **FUTURE LAND USE ELEMENT** (TO REVISE AND UPDATE THE GREENWAYS AND LINKED OPEN SPACE POLICIES; TO CHANGE THE MARINE WATERFRONT COMMERCIAL FUTURE LAND USE DESIGNATION TO AN OVERLAY; TO CLARIFY THE INTENT OF THE RESIDUAL PARCEL POLICY; TO INCREASE THE FLOOR AREA RATIO WITHIN THE AGRICULTURAL RESERVE TIER FOR THE TRANSPORTATION AND UTILITY AND INSTITUTIONAL PUBLIC FACILITIES FUTURE LAND USE DESIGNATIONS; TO REVISE A POLICY TO REFERENCE THE STRATEGIC ECONOMIC DEVELOPMENT PLAN; TO REVISE CRITERIA TO DETERMINE IF A PROPERTY WAS CREATED AS A LEGAL LOT FOR THE PURPOSE OF RESIDENTIAL DEVELOPMENT; TO CHANGE THE DEVELOPMENT REVIEW COMMITTEE TO THE DEVELOPMENT REVIEW OFFICER, AND REVISE ALL ELEMENTS AS NECESSARY); **CAPITAL IMPROVEMENT ELEMENT** (TO ADD A POLICY REFERENCING THE STRATEGIC ECONOMIC DEVELOPMENT PLAN); **TRANSPORTATION, INTERGOVERNMENTAL COORDINATION, CONSERVATION, AND RECREATION AND OPEN SPACE ELEMENTS** (TO REVISE AND UPDATE THE GREENWAYS AND LINKED OPEN SPACE POLICIES; COASTAL MANAGEMENT ELEMENT (TO REVISE STRATEGIES TO PROTECT WORKING COMMERCIAL WATERFRONTS); **ECONOMIC ELEMENT** (TO DELETE THE ECONOMIC ELEMENT); AND THE **MAP SERIES** (TO REVISE AND UPDATE THE GREENWAYS AND LINKED OPEN SPACE MAP LU 8.1; TO ADD THE MARINE WATERFRONT COMMERCIAL OVERLAY TO THE SPECIAL PLANNING AREAS MAP LU 3.1; TO ADD FOUR SITES TO THE DESIGNATED HISTORIC SITES AND DISTRICTS MAP HP 1.1 TO REFLECT RESOURCES DESIGNATED SINCE AUGUST 1999); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

1 **WHEREAS**, the Palm Beach County Local Planning Agency conducted
2 its public hearings on June 8, June 22, and July 13, 2007 to review
3 the proposed amendments to the Palm Beach County Comprehensive Plan
4 and made recommendations regarding the proposed amendments to the Palm
5 Beach County Board of County Commissioners pursuant to Chapter 163,
6 Part II, Florida Statutes; and

7 **WHEREAS**, the Palm Beach County Board of County Commissioners, as
8 the governing body of Palm Beach County, conducted a public hearing
9 pursuant to Chapter 163, Part II, Florida Statutes, on July 23, 2007
10 to review the recommendations of the Local Planning Agency, whereupon
11 the Board of County Commissioners authorized transmittal of proposed
12 amendments to the Department of Community Affairs for review and
13 comment pursuant to Chapter 163, Part II, Florida Statutes; and

14 **WHEREAS**, Palm Beach County received the Department of Community
15 Affairs "Objections, Recommendations, and Comments Report," dated
16 October 5, 2007 which was the Department's written review of the
17 proposed Comprehensive Plan amendments; and

18 **WHEREAS**, the written comments submitted by the Department of
19 Community Affairs contained no objections to the amendments contained
20 in this ordinance;

21 **WHEREAS**, on November 26, 2007 the Palm Beach County Board of
22 County Commissioners held a public hearing to review the written
23 comments submitted by the Department of Community Affairs and to
24 consider adoption of the amendments; and

25 **WHEREAS**, the Palm Beach County Board of County Commissioners has
26 determined that the amendments comply with all requirements of the
27 Local Government Comprehensive Planning and Land Development
28 Regulation Act.

29 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
30 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

31 **Part I. Amendments to the 1989 Comprehensive Plan**

32 Amendments to the text of the following Elements of the 1989
33 Comprehensive Plan are hereby adopted and attached to this Ordinance
34 in Exhibits 1 through 9:

1. **Greenways and Linked Open Space Revisions**, to revise and update policies within six elements to reflect current conditions and activities, to include Northeast Everglades Natural Area (NENA), to reference the ongoing South County Greenways and Trails planning efforts, and to update the Greenways and Linked Open Space Map LU 8.1.
 - A. Intergovernmental Coordination Element
 - B. Future Land Use Element
 - C. Transportation Element
 - D. Recreation & Open Space Element
 - E. Conservation Element
 - F. Introduction & Administration Element
 - G. Map Series, Map LU 8.1, Greenways and Linked Open Space
2. **Future Land Use Element Modifications**, to revise residual parcel language and FARs
 - A. Future Land Use Element
 - B. Introduction and Administration Element
3. **Board of Adjustment Modifications**, to delete the reference to the Board of Adjustment (B of A) and revise all references from Development Review Committee to Development Review Officer in various elements.
 - A. through K. Various Elements
4. **Legal Lot Policy 2.2.1-e Revisions**, to correct the two dates in criteria 1 and 3 which may be used to determine if a property was created as a legal lot for the purpose of residential development.
 - A. Future Land Use Element
5. **Marine Waterfront Commercial**, to add a definition; to convert the Marine Waterfront Commercial (MWC) Future Land Use Designation to an Overlay; to modify strategies to protect working commercial and recreational waterfronts; and to add the MWC Overlay to Map Series Map L.U 3.1 Special Planning Areas
 - A. Introduction and Administration Element

- B. Future Land Use Element
- C. Coastal Management Element
- D. Map Series, LU 3.1 Special Planning Areas

6. **Economic Element Deletion**, to delete the Economic Element and references thereto, and add policies to the Future Land Use Element and Capital Improvement Element.

- A. Future Land Use Element
- B. Capital Improvement Element
- C. Economic Element

7. **Historic Resources Update**, to update to add three historic sties and one historic district that have been designated by the BCC since the map was last updated in 1999

- A. Map Series, HP 1.1, Designated Historic Sites and Districts

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Part V. Effective Date

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), Florida Statutes, whichever is applicable. No development orders, development permits, or land uses

1 dependent on this amendment may be issued or commence before it has
2 become effective. If a final order of noncompliance is issued by the
3 Administration Commission, this amendment may nevertheless be made
4 effective by adoption of a resolution affirming its effective status,
5 a copy of which resolution shall be sent to the Florida Department of
6 Community Affairs, Division of Community Planning, Plan Processing
7 Team. An adopted amendment whose effective date is delayed by law
8 shall be considered part of the adopted plan until determined to be
9 not in compliance by final order of the Administration Commission.
10 Then, it shall no longer be part of the adopted plan unless the local
11 government adopts a resolution affirming its effectiveness in the
12 manner provided by law.

13 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm
14 Beach County, on the 26th day of November, 2007.

15 ATTEST:

16 SHARON R. BOCK, CLERK
17 & COMPTROLLER

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

18
19
20 By: Judith C. Bock

21 Deputy Clerk

By: Addie L. Greene

22 Addie L. Greene, Chairperson

23 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

24
25
26 Asa T. Bock
COUNTY ATTORNEY

27
28 Filed with the Department of State on the 4th day of
29
30 December, 2007.

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EXHIBIT TABLE OF CONTENTS

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EXHIBIT 1

A. Intergovernmental Coordination Element, Greenways and Linked Open Space

REVISIONS: To revise and update. The revisions are shown with the added text underlined, and the deleted text ~~struck-out~~.

REVISED OBJECTIVE 1.5 Greenways and Linked Open Space System Program

Implement a Countywide ~~voluntary~~ Greenways and Linked Open Space/greenway System (GLOSS) program.

REVISED Policy 1.5-a: The Palm Beach County Engineering and Public Works Department shall continue to work with the School District, the Metropolitan Planning Organization and Sheriff's Department, and shall formalize its joint planning process, to assure that pedestrian and bicycle facilities are provided to serve all new schools. The County's Pathway Program and the State's Safe Routes to School Program shall also accord a high priority to the provision of pedestrian and bicycle facilities for existing schools lacking such facilities.

REVISED Policy 1.5-b: Palm Beach County shall implement County GLOSS linked open space components networks through the following program activities:

- The County's Department of Environmental Resources Management shall be responsible for the oversight and implementation of all planned activities and work programs within all County owned or managed natural areas and coordinate the oversight and implementation of the Northeast Everglades Natural Area (NENA) master plan.
- The County's Parks and Recreation Department shall be responsible for the oversight and implementation of all planned activities and work programs within all County owned or managed parks and recreation facilities.
- The County's Engineering Department shall be responsible for design and upkeep for multiple use trails in GLOSS components within County Road rights-of-way.
- The County's Department of Environmental Resources Management, Engineering Department and Parks and Recreation Department shall be responsible for developing and maintaining multi-purpose open space links and/or recreational greenways between County owned park and natural area facilities to accommodate pedestrian, bicycle, and equestrian trails when appropriate, in order to increase public access opportunities to and between these County owned facilities.
- The County's Department of Environmental Resources Management, Engineering Department, Parks and Recreation Department the Metropolitan Planning Organization shall continue to coordinate all "linked open space" and "trail network" activities with appropriate municipalities and special districts, the South Florida Water Management District, the Florida Department of Environmental Protection, Division of Parks and Recreation, as well as tourism, hiking, environmental, bicycling, equestrian, and disabled citizen organizations.
- The Palm Beach Metropolitan Planning Organization shall be responsible for the oversight and coordination of planning activities within the County related to bicycle and pedestrian transportation, including greenway facilities.
- Following completion and its presentation, the Board of County Commissioners shall consider incorporating the South County Bikeways, Greenways and Trails System Plan into the GLOSS network. The plan is being developed by the Metropolitan Planning Organization and expected to be completed in 2007.
- Following completion and its presentation, the Board of County Commissioners shall consider incorporating the Regional Greenways and Recreational Links Element information from the Regional Long Range Transportation Element into the GLOSS network. The Regional Element includes Broward, Dade and Palm Beach Counties

and is currently being developed by the Southeast Florida Transportation Council, with assistance from the County's Metropolitan Planning Organization.

- The Board of County Commissioners shall consider the potential for widened right-of-way buffers, open space linkages and pedestrian bicycle and equestrian trail linkages in the evaluation of land use amendments and also in neighborhood and community planning efforts.
- ~~By January 1, 1997, the County shall assign the responsibilities of implementing and coordinating the Linked Open Space Greenways/Trail program to an existing administrative position. The incumbent in that position will either develop a work program and timetable intended to carry out the recommendations contained within the adopted Linked Open Space Program, or will assign the responsibilities to individual departments.~~
- ~~The Greenways/Trail administrator or that administrator's designee will serve on the Development Review Committee, and will be advised by a Greenways Commission or panel. By November 1, 1997, the Board of County Commissioners will appoint a Greenways commission consisting of representatives from concerned County departments and special districts, the South Florida Water Management District, the Florida Department of Environmental Protection Division of Parks and Recreation, as well as tourism, hiking, environmental, bicycling, equestrian, and disabled citizen organizations.~~

REVISED Policy 1.5-c: ~~By January 1, 1997, the Board of County Commissioners of Palm Beach County shall request the Governing Board of the SFWMD to include a public comment period and a review of~~ continue to review actions taken by the Governing Board of the SFWMD, such as requests for release of reservations on canal rights-of-way for potential impacts on the adopted GLOSS components. Linked Open Space/Greenways in any actions taken by that Governing Board which may affect identified Linked Open Spaces and Greenways, such as requests for releases of reservations on canal rights-of-way.

REVISED Policy 1.5-d: ~~By January 1, 1997, t~~ The Board of County Commissioners of Palm Beach County shall request the County's Legislative Delegation to support legislation which will limit the liability of water control and water management special districts which permit uncompensated public access to their lands for passive non-motorized recreational purposes.

REVISED Policy 1.5-e: ~~The projects contained within the GLOSS Linked Open Space Program of the Palm Beach County Comprehensive Plan are to be prioritized as follows: Immediate priority shall be assigned to projects contained within the Loxahatchee Greenways Program and to Trail projects for which funding arrangements, interlocal agreements, or maintenance agreements exist or are underway. These projects include: the Ocean to Lake Greenway Pal-Mar greenway (which is included in the Loxahatchee Greenways Project), the multi-purpose Lake Trails project in the Glades Area, the Juno Beach Bicycle Route and the C-18 multi-purpose equestrian/hiking trail. Secondary priority shall include multi-purpose urban bicycle/pedestrian open space links identified on the GLOSS Linked Open Space Overlay map or the Future 2020 Bicycle Facilities Map of the County Comprehensive Plan, linkages between environmentally sensitive lands which will be acquired through the County Bond Program or other funding source, and environmentally desirable linkages of upland areas set aside pursuant to Conservation Element Policy 2.1-c.~~

B. Future Land Use Element, Greenways and Linked Open Space

REVISIONS: To revise and update. The revisions are numbered below, and shown with the added text underlined, and the deleted text ~~struck out~~.

REVISED OBJECTIVE 2.5 Greenways and the Linked Open Space Program System (GLOSSP)

Palm Beach County shall encourage the creation of an Greenways and Linked eOpen sSpace System (GLOSS) network linking environmentally viable natural areas, conservation areas, parks, and cultural, civic and educational facilities systems through strategies which will:

1. Support the preservation of Conservation areas while helping to define the overall future land use pattern of the County;
2. Support County Directive # 11 regarding open space and park systems through the creation of linear open spaces, which will enhance the appearance of the County by providing a visual organizer of recreational resources, natural resources and other open

- space areas, including public and private lands and water; passive as well as active recreational areas, beaches, and conservation areas;
3. Protect the health and safety of residents by providing safe recreational opportunities in close proximity to residences;
 4. Increase recreational access opportunities that support "eco-tourism," and reduce the need to develop land for parking; and,
 5. Encourage alternatives to the automobile to conserve scarce resources, comply with Federal Air Quality standards, and provide for "bikeable, walkable, and equestrian friendly" communities, consistent with Florida Pedestrian System goals.
 6. Support the provision of bicycle, pedestrian and equestrian trail access linking to GLOSS network components.
 7. Support the identification and development of regional trails and scenic drives with neighboring counties and municipalities.

REVISED Policy 2.5-a: The County shall coordinate with other local governments and private citizens to develop a continuous network of greenways linking viable natural systems and Conservation designated lands throughout the County. The components of this network shall be designated as the GLOSS Greenway and Linked Open Space Program.

REVISED Policy 2.5-b: The County shall develop and maintain the GLOSS Greenways and Linked Open Space Program components using the following techniques:

1. ~~Purchase~~ Continued acquisition of ~~connecting~~ lands and ~~predesignation~~ of such lands to either the Conservation or Parks and Recreation land use designations, as appropriate;
2. Use Continued identification and designation of existing publicly owned road or drainage canal rights-of-way and expand rights-of-way when achievable, and any road rights-of-way abandonment, for links,; for roads or drainage canals; and,
3. ~~Modification of the Unified Land Development Code to allow either~~ Continue the consideration of connections between upland set-aside areas, pursuant to Conservation Element Objective 5.2 and Unified Land Development Code (ULDC) Article 14.C.11.B.4. Establishing Native Upland Preserves; or use of overlay districts to allow development with design features which will create and preserve a connections between the open spaces to be linked.

REVISED Policy 2.5-c: ~~By December 2002, t~~ The Planning Division shall rely on incorporate the GLOSS Greenways and Linked Open Space Program components into its Future Land Use planning efforts. At a minimum, this shall be accomplished by when considering the potential for open space linkages in the evaluation of land use amendments. Additionally, the GLOSS Greenways and Linked Open Space Program components shall be considered in neighborhood and community planning efforts.

REVISED Policy 2.5-d: ~~By December 2002,~~ Palm Beach County shall continue to review identify the potential for using road rights-of-way, publicly-owned canal maintenance rights-of-way and other public land identified on the map entitled "Greenways and Linked Open Space Program System", as amended, and "Future 2020 Bicycle Facilities Map", as amended, and located within the Palm Beach County Comprehensive Plan map series, as well as the Bicycle Route Suitability Map adopted and amended by the Metropolitan Planning Organization. When determined feasible by the Board of County Commissioners, these areas shall be acquired, or easements obtained, for multi-purpose open space links and/or recreational greenways, where such linear rights-of-way connect conservation areas, preserves, parks and/or residential areas.

REVISED Policy 2.5-e: The County shall pursue grant funds to acquire, design or retrofit the ~~linked open space greenway system~~ GLOSSP components. The County shall continue to implement the strategies contained within the Comprehensive Plan to achieve a ~~Greenways and Linked Open Space~~ GLOSSP components system and identify possible funding sources for land acquisition to link conservation areas, and to encourage the creation of environmental systems, and recreational areas.

REVISED Policy 2.5-f: The County shall pursue interlocal agreements, ~~and~~ maintenance agreements and easements with third parties, to acquire, implement and develop recreational greenways.

REVISED Policy 2.5-g: Palm Beach County shall continue ~~amend its Unified Land Development Code~~ to require that:

1. Whenever feasible, all new subdivisions and residential developments meet the current open space requirements by providing "usable" open space, including safe and accessible bicycle and pedestrian circulation systems within the development; and,

2. ~~All new subdivisions and residential developments allow the continuation of any greenway/path located adjacent to the new subdivision or development, when feasible, and when such continuation does not result in a taking of private property or an inordinate burden to private property, pursuant to the Bert J. Harris Private Property Rights Protection Act. New developments shall allow the continuation of an adjacent greenway by avoiding the obstruction of external greenways with barriers;~~
3. ~~Sidewalks or hardened walking surfaces shall be provided within a two (2) mile radius of all schools, where feasible; and,~~
4. Site planning considerations shall allow for the preservation of open space corridors, without removing permitted density as depicted on the Future Land Use Atlas or intensity of land to be developed, in instances where land cannot be acquired in corridors identified on the "Greenways and Linked Open Space System Program" map as depicted on the Future Land Use Atlas.

NEW Policy 2.5-h: Palm Beach County shall amend its Unified Land Development Code to require that:

1. All new subdivisions and residential developments allow the continuation of any greenway/path located adjacent to the new subdivision or development, when feasible, and when such continuation does not result in a taking of private property or an inordinate burden to private property, pursuant to the Bert J. Harris, Jr., Private Property Rights Protection Act. New developments shall allow the continuation of an adjacent greenway by avoiding the obstruction of external greenways with barriers; and,
2. Sidewalks or hardened walking surfaces be provided within a two (2) mile radius of all schools, where feasible.

REVISED Policy 2.5-hj: ~~Palm Beach County shall amend its Unified Land Development Code~~ continue to enable existing residential developments within Residential Districts and Planned Development Districts that wish to establish greenways between the development and other destinations, to work with the Zoning Division and Land Development Division to incorporate the proposed connections within site plans or subdivisions in accordance with ULDC Article 4.B.1.93. Passive Park.

REVISED Policy 2.5-ij: The County shall participate in the planning of a ~~"Trail Network Plan"~~ "Trail Network Plan" to accommodate equestrian, pedestrian and bicycle trails within a community upon initiation by residents and the appropriate Special District. The plan should include provisions to connect to both the existing and the proposed State Greenway System and the County's Greenways and Linked Open Space System components.

NEW Policy 2.5-k: Palm Beach County incorporates the Northeast Everglades Natural Area (NENA) as part of the County's Greenways and Linked Open Space System. The County's Department of Environmental Resources Management shall be responsible for the oversight and implementation of NENA.

REVISED OBJECTIVE 5.1 Protection of Natural Resources and Systems

Palm Beach County shall ensure the protection of natural resources and systems by enforcing and monitoring existing environmentally related ordinances and developing ordinances, as needed, pursuant to the goals and policies of the Conservation Element.

REVISED Policy 5.1-a: Palm Beach County shall ensure the protection and stewardship of natural resources and systems, including quality uplands and wetlands, environmentally sensitive lands, wildlife habitats and regional water management areas. The County shall request review and comments from the South Florida Water Management District, Department of Environmental Protection, ~~Game and Fresh Water Fish Commission~~ Florida Fish and Wildlife Conservation Commission, and other governmental/ environmental agencies, during the Plan amendment process.

REVISED Policy 5.1-b: The impact of development on natural resources and systems, including high quality coastal and inland wetlands and future potable water supply wellfield areas, as identified in the Future Land Use, Coastal Management, and Conservation Elements, shall be evaluated during the development review process, ~~as outlined in the Unified Land Development Code,~~ to protect these resources from the adverse impacts associated with incompatible future land uses on or near such sites in accordance with ULDC Article 14. C. Vegetation Preservation and Protection.

REVISED Policy 5.1-c: During the development review process, the County shall determine the consistency of developments with any future resource planning and management plan prepared pursuant to Chapter 380, Florida Statutes and in accordance with ULDC Article 7.D.9. Incompatibility Buffer.

REVISED Policy 5.1-d: ~~By October 2000, the~~ The Planning and Zoning Divisions, in cooperation with the Department of Environmental Resource Management, shall continue to develop regulations and incentives providing for the use of buffering, or other land management techniques, to ensure compatibility with the function and purpose of conservation lands, and development of those properties adjacent to conservation lands.

New Policy 5.1-e: The County shall adopt site specific management plans for all natural areas within the County's Natural Areas Program designed to implement the Program goal of preserving their wilderness values to reflect the subtropical biological diversity characteristic of Palm Beach County in pre-development times. The plans will include facilities for passive public use, but such use shall not take precedence over ecosystem protection.

C. Transportation Element, Greenways and Linked Open Space

REVISIONS: To revise and update. The revisions are numbered below, and shown with the added text underlined, and the deleted text ~~struck out~~.

OBJECTIVE 1.9 Bicycle, Pedestrian, and Linked Open Space Facilities

REVISED Policy 1.9-b: The County shall provide for bicycle, pedestrian, and bus transit facilities in the plans for all major roadway construction and reconstruction projects consistent with adopted standards developed by the County and State, especially when connecting to GLOSS components. [9J-5.019(4)(c)5 F.A.C.]

REVISED Policy 1.9-d: The County shall support and encourage the MPO ~~in~~ to continue completing and adopting, the Long Range Bicycle Facilities Concept Plan, which will provide for and promote the use of the bicycle as an alternate means of transportation. [9J-5.019(4)(c)5 F.A.C.]

REVISED Policy 1.9-g: The County shall encourage the ~~continue to use of expanded road rights-of-way~~ corridor cross-sections which ~~shall include~~ allow for multiuse bicycle and pedestrian facilities, and equestrian trails ~~cross-sections~~ where appropriate, especially when connecting to GLOSS components. [9J-5.019(4)(c)5 F.A.C.]

REVISED Policy 1.9-p: ~~By January 1, 2000, Palm Tran, the MPO, and the County's Parks & Recreation Department shall~~ continue to identify ~~establish a process for the joint public/private identification of "park and ride" facilities for individuals using transit to reach County recreation sites. These sites are to be located at commercial parking areas that lie within two (2) miles of County recreational facilities.~~ [9J-5.019(4)(c)11 F.A.C.] [9J-5.019(4)(c)12 F.A.C.]

D. Recreation and Open Space Element, Greenways and Linked Open Space

REVISIONS: To revise and update with regards to RO Amendment Requirements. The revisions are numbered below, and shown with the added text underlined, and the deleted text ~~struck out~~.

REVISED OBJECTIVE 1.4 Open Space

The County's ULDC shall ~~have adequate provisions to ensure that lands are set aside in new developments for open space, and that environmentally sensitive lands are protected for inclusion in the Countywide GLOSS open space system.~~

REVISED Policy 1.4-a: The County shall develop planning strategies for a ~~linked open space~~ GLOSS network that include but are not limited to consideration of the following components:

- Conservation Areas and Preserves
- ~~Environmentally Sensitive Lands~~ Natural Areas
- Parks and recreational facilities
- Commercial recreation areas
- Civic, cultural and educational facilities
- Lakes, blueway trails and canal systems

- Bikeways and trails
- Greenways
- Wildlife corridors
- The Florida National Scenic Trails - the Lake Okeechobee Segment Scenic Trail and the Ocean to Lake Greenway

~~**Delete Policy 1.4-c:** The County shall require reservation of planned parks, preservation and conservation areas shown in the Comprehensive Plans Map Series and shall limit development of these areas for a period not to exceed two years, during which time the County shall acquire or release the reservation, as provided under ULDC Article 17.1.,c.1. as amended.~~

REVISED Policy 1.4-f: The County's "Greenways and Linked Open Space System" ~~M~~ map will be used as a guide in the park planning and design process to ensure that open space linkages are incorporated and alternative means of park access are provided for the public.

E. Conservation Element, Greenways and Linked Open Space

REVISIONS: To revise and update with regards to CE Amendment Requirements. The revisions are numbered below, and shown with the added text underlined, and the deleted text ~~struck out~~.

REVISED GOAL 5: LINKED OPEN SPACE SYSTEM NETWORK - CONSERVATION GREENWAYS/ WILDLIFE CORRIDORS

It is the **GOAL** of Palm Beach County to provide a Linked Open Space System ~~program that~~ allows for the conservation of greenways and wildlife corridors that serve as linkages to environmentally sensitive lands and conservation areas.

REVISED OBJECTIVE 5.1 The County shall create Conservation Greenway/Wildlife Corridors linking Conservation Areas and environmentally significant lands to better preserve environmentally significant land and support endangered species, threatened species and species of special concern (hereinafter referred to as listed species). These corridors are included in the Plan as part of a linked open space network in order to assure survival of species which would be jeopardized by isolation. Management plans for wildlife corridors, conservation areas and preserves ~~linked by Conservation Greenway/Linked Open Space links~~ shall include such passive human recreational uses as hiking and bird watching when such uses will not jeopardize environmental resources.

REVISED Policy 5.1-a: Conservation Greenway/Wildlife Corridors identified on the map entitled "Greenways and Linked Open Space System Map" shall be recognized as a part of the overall land use pattern of the Palm Beach County Comprehensive Plan. The corridors, which were identified with the expert assistance of local, state, and federal agencies and with public input, shall be protected during the Land Development process to the maximum extent feasible when such protection does not result in a taking of private property or an inordinate burden to private property pursuant to the Burt J. Harris, Jr., Private Property Rights Protection Act. *Cross reference: Please also refer to Recreation and Open Space Policy 1.4-f.*

REVISED Policy 5.1-b: The County in concert with other jurisdictions shall continue to identify those portions of Conservation Greenways/Wildlife Corridors which should be acquired ~~purchased~~, and shall jointly continue to seek grant funds, negotiate life estates, conservation easements, transfer of development rights, and exchanges or fee simple acquisition if necessary to preserve vital portions of wildlife corridors. [9J-5.013(2)(c)7 F.A.C.] *Cross reference: Please also refer to Recreation and Open Space Policy 1.4-a.*

REVISED Policy 5.1-c: By January 1, ~~2007~~ 2009, the County shall modify the Unified Land Development Code to include design standards which allow the preservation of a corridor of open space connecting conservation areas through areas which are permitted to develop. The design standards shall preserve private property rights while allowing any open space requirements to be met by the preservation of an open space wildlife corridor/preservation greenway, which may be accomplished through a recorded conservation easement or by other means. Such protection shall not result in a taking of private property or an inordinate burden to private property pursuant to the Burt J. Harris, Jr., Private Property Rights Protection Act. Until these design standards are in place within the Land Development Code, participation of private property owners within the identified corridors shall be voluntary. *Cross reference: Please also to Recreation and Open Space Policy 1.4-b.*

~~**DELETE Policy 5.1-d:** The management plan for the North County Airport preserve shall include identify a network of internal hiking trails which shall not endanger the environmentally~~

~~significant features of the preserve, and shall examine the feasibility of permitting access to the Preserve from specific locations along the Beeline Highway. As a part of this overall management plan, the Beeline Highway shall be examined as a potential link between PGA Boulevard and the Corbett Wildlife Refuge, providing for a Linked Open Space link and hiking path to connect the Airport Preserve and the Corbett Wildlife Area.~~

REVISE Policy 5.2-a: ~~By January 1, 1997, t~~ The County shall modify the Unified Land Development Code to include procedures continue to guide ing the linking of upland preserves set aside pursuant to Conservation Element Policy 2.1-d, and in accordance with ULDC Article 14.C.11.B.4. Establishing Native Upland Preserve, where feasible and desirable. "Feasible and desirable" upland linkages are those which connect uplands of high quality; where the highest quality upland areas of an area proposed for development are not located next to existing preserved upland areas, the preservation of high quality uplands shall take precedence over the policy of achieving a link.

F. Introduction and Administration Element, Comprehensive Plan Definitions

REVISIONS: To revise and update with regards to IA Amendment Requirements. The revisions are numbered below, and shown with the added text underlined, and the deleted text ~~struck out~~.

REVISED Definition: GREENWAYS AND LINKED OPEN SPACE SYSTEM PROGRAM -~~The GLOSSP is a program that is intended to connects lands and properties by establishing~~ open space corridors in order to encourage environmentally viable eco-systems, and identifies and develops trails, in order to enhance interconnectivity of these greenways, open space and recreational areas. For additional information on the Linked Open Space Program, consult the Land Use, Traffic Circulation, Mass Transit, Conservation, Recreation & Open Space, Intergovernmental Coordination and Capital Improvements elements.

REVISED Acronym: GLOSSP Greenways and Linked Open Space System Program

NEW Definition: BLUEWAY TRAIL – A Blueway Trail is a small boat and/or paddling route (or series of routes) along a waterway that combines recreation and environmental awareness while linking communities and land-based attractions such as recreational trails, historic sites, and parks.

NEW Definition: THE NORTHEAST EVERGLADES NATURAL AREA (NENA) – NENA is a vision of approximately 150,000 acres of publicly owned conservation lands in North Palm Beach County and South Martin County including approximately seven activity and environmental education centers all linked together by driving, walking and/or equestrian trails. NENA will be equivalent to a National Park in size with a variety of ecosystems and activities available.

REVISIONS: To replace the Greenways and Linked Open Space Map with a revised one reflect changed conditions.



EXHIBIT 2

A. Future Land Use Element, FLUE Modifications

REVISIONS: To revise residual parcel language and FARs. The revisions are numbered below, and shown with the added text underlined, and the deleted text ~~struck out~~.

1. **Policy 2.2-f:** The County shall not approve site specific Future Land Use Atlas amendments, ~~which~~ that encourage piecemeal development or approve such amendments for properties under the same or related ownership that create residual parcels. The County shall also not approve rezoning petitions under the same or related ownership that result in the creation of residual parcels.
2. **Modify Table 2.1-2:**

TABLE 2.1-2
Maximum Floor Area Ratios (FARs) For Non-Residential Future Land Use Categories and Non-Residential Uses

Future Land Use	FLU Category	Tier				
		Urban/Suburb	Exurban	Rural	Ag Reserve	Glades
unaltered items omitted for brevity						
Institutional & Public Facilities		.1-.45	.20	.10	.40 <u>.15</u> .35 ⁶	.10
Transportation & Utilities		.10-.45	.10	.05	.05 <u>.15</u> ⁷	.05
unaltered items omitted for brevity						

Notes:
items 1 through 5 not altered and omitted for brevity

6. An FAR greater than .15 is only permitted for hospitals and related hospital campus uses.
7. An FAR greater than .05 is only permitted east of S.R. 7

B. Introduction and Administration Element, FLUE Modifications

REVISIONS: To revise the residual parcel definition. The revisions are numbered below, and shown with the added text underlined, and the deleted text ~~struck out~~.

1. **RESIDUAL PARCEL** - A property under the same or related ownership that has been left out of a development area, resulting in a parcel which has limited development options and connections to surrounding properties.

EXHIBIT 3

Various Elements, Board of Adjustment Modifications

REVISIONS: To delete the reference to the Board of Adjustment (B of A) in the Introduction and Administration Element and revise all references from Development Review Committee to Development Review Officer in various elements of the Comprehensive Plan. The revisions are shown below with the added text underlined and the deleted text ~~struck out~~. (*Unaltered text omitted for brevity.*)

A. Introduction and Administration Element, Part II (Administration), Section G (Enforcement of Regulations, paragraph 2):

No boundary or regulation change...variance, ...or other permit shall be granted by the Department, the Commission, ~~or Board of Adjustment~~ or other agency except in compliance with the provisions of the Plan.

B. Capital Improvement Element, Policy 1.2-c: Concurrency Review Procedures shall continue to provide for the review of applicable services...as set forth in Objective 1.1. Applicants shall be certified for inclusion on the BCC, Zoning Commission or Development Review ~~Committee~~ Officer agendas...

C. Capital Improvement Element, Policy 1.2-d: Through the maintenance of concurrency Review Procedures established in Policy 1.2-c, a proposed project may be certified for inclusion on the...Development Review ~~Committee~~ Officer agenda...

D. Coastal Management Element, Policy 2.1-c: The County shall provide for safe evacuation from coastal areas by reviewing all development proposals...submitted for certification through the ...~~d~~Development ~~r~~Review ~~committee~~ Officer ...

E. Future Land Use Element, Policy 2.6-i: The County shall not approve the designation of receiving areas, which would result in an incompatibility with the surrounding land uses...The determination of compatibility may be made by the BCC or the Development Review ~~Committee~~ Officer (DRGO).

F. Future Land Use Element, Policy 4.1-c: The County shall consider the objectives and recommendations of all Community and Neighborhood Plans...prior to...issuance of a development order for a ...Development Review ~~Committee~~ Officer (DRGO) approval...

G. Intergovernmental Coordination Element, Goal 1 (Plan Coordination), part b (Notification): Through the County's plan amendment process and Development Review ~~Committee~~ Officer affected municipalities...are given the opportunity to comment on development proposals.

H. Intergovernmental Coordination Element, Policy 1.1-c (criterion 2): Palm Beach County will continue to ensure coordination between the County's Comprehensive Plan and...the existing plans of adjacent governments...through the following mechanism:

2. The Development Review ~~Committee~~ Officer as set forth in 1.1-e of this element;

I. Intergovernmental Coordination Element, Policy 1.1-e: The County shall utilize the Development Review ~~Committee~~ Officer meeting to review zoning and land development petitions...and shall coordinate the review with and request comment from the following entities...

J. Intergovernmental Coordination Element, Policy 1.5-b (criterion 2): Palm Beach County shall implement County linked open space networks through the following program:

2. The Greenways/Trail administrator...will serve on the Development Review ~~Committee~~ Officer...

K. Transportation Element, Policy 1.12.-g: To promote alternative modes of transportation, Palm Beach County should through the Development Review ~~Committee~~ Officer (DRGO) process encourage site specific mass transit capital improvements....

EXHIBIT 4

A. Future Land Use Element, Legal Lot Policy 2.2.1-e

REVISIONS: To revise dates. The revisions are shown below with the added text underlined and the deleted text ~~struck-out~~.

Policy 2.2.1-e: The County shall apply the following criteria to determine if a parcel may be developed for residential purposes:

1. The lot is described and identified in a deed or agreement for deed, dated prior to February 2 5, 1973, and has the same boundaries as shown on that deed.

(Text of criterion 2 omitted for brevity.)

3. It is demonstrated that the lot in its current configuration resulted from a division of land ~~between~~ on or subsequent to February 2 5, 1973 and prior to June ~~45~~ 16, 1992, and complied with the density requirements of the Plan in effect at the time the lot was created.

(unaltered text omitted for brevity)

EXHIBIT 5

A. Introduction and Administration Element, Marine Waterfront Commercial

REVISIONS: To add a definition for Recreational and Commercial working waterfront, shown below with the added text underlined.

Recreational and commercial working waterfront - means a parcel or parcels of real property that provide access for water-dependent commercial activities, including hotels and motels as defined in s. 509.242(1), or provide access for the public to the navigable waters of the state. Recreational and commercial working waterfronts require direct access to or a location on, over, or adjacent to a navigable body of water. The term includes water-dependent facilities that are open to the public and offer public access by vessels to the waters of the state or that are support facilities for recreational, commercial, research, or governmental vessels. These facilities include public lodging establishments, docks, wharfs, lifts, wet and dry marinas, boat ramps, boat hauling and repair facilities, commercial fishing facilities, boat construction facilities, and other support structures over the water.

B. Future Land Use Element, Marine Waterfront Commercial Overlay

REVISIONS: To revise and update. The revisions are shown below with the added text underlined, and the deleted text ~~struck-out~~.

OBJECTIVE 1.2 Urban/Suburban Tier

(Text omitted for brevity)

New **SUB-OBJECTIVE 1.2.7 Marine Waterfront Commercial Overlay (MWCO)**

The purpose of the Marine Waterfront Commercial Overlay (MWCO) area is to protect recreational and commercial working waterfronts, as defined by the Introduction and Administration Element, within Unincorporated Palm Beach County.

New Policy 1.2.7-a: Within the Marine Waterfront Commercial Overlay as depicted on Map LU 3.1, the County shall ensure a 'no net loss' of recreational and commercial working waterfronts by not approving an amendment or development order for any site that would reduce the amount of recreational and commercial working waterfront uses unless:

- the County determines that the subject site has limited redevelopment potential for recreational and commercial working waterfront uses due to changed circumstances, including but not limited to, changes in the surrounding area or government regulations; or
- the proposal includes the transfer and/or expansion of recreational and commercial working waterfront uses off site.
- denial of the amendment or development order would result in a taking of private property or would inordinately burden an existing use or a vested right to a specific use pursuant to the Bert J. Harris Jr., Private Rights Protection Act.

OBJECTIVE 2.1 Balanced Growth

(Text omitted for brevity)

Policy 2.1-a: The following Future Land Use designations and their respective categories, shall be established to manage and direct future development in Palm Beach County and shall be shown on the Future Land Use Atlas, where applicable:

1. Residential, ranging from Rural (RR20-RR2.5) to Urban (LR1-HR18);
2. Commercial, Low Intensity, Low Intensity-Office, High Intensity, High Intensity-Office;
3. Commercial Recreation;
4. Industrial, Industrial and Economic Development Center;
5. Agricultural, Agricultural Production, Agricultural Reserve, and Special Agriculture;
6. Parks and Recreation;
7. Conservation;
8. Institutional and Public Facilities;
9. Transportation and Utilities;
10. Traditional Town Development (TTD); and
11. Multiple Land Use (MLU); and
12. ~~Marine Waterfront Commercial.~~

OBJECTIVE 2.2 Future Land Use Provisions – General

DELETED Sub-Objective 2.2.4 Marine Waterfront Commercial

~~Marine Waterfront Commercial (MWC) areas are designated on the Future Land Use Atlas to reflect existing and future commercial working waterfronts uses, as defined in s. 342.07, F.S., and to implement part of the County strategy to preserve and provide regulatory incentives and criteria to encourage the preservation of working recreational and commercial waterfronts. The strategy is described in Policy 1.5-a of the Coastal Management Element.~~

~~**DELETED Policy 2.2.4-a:** The following land uses shall be allowed in areas designated Marine Waterfront Commercial on the Future Land Use Atlas where permitted by the terms of the Unified Land Development Code: wet and dry marinas, docks, wharfs, lifts, boat ramps, boat hauling and repair facilities, commercial fishing facilities, commercial fishing facilities, and other water related services and accessory facilities; and activities that are an integral part and supportive of the main commercial marine uses.~~

~~**DELETED Policy 2.2.4-b:** Parcels with a Marine Waterfront Commercial designation shall not be developed or converted to permanent residential uses. Landowners shall be allowed to petition the Board of County Commissioners to be exempt from this condition under certain circumstances. At a minimum, the petition shall demonstrate one of the following criteria:~~

- ~~That lands equally or more suitable for use as Marine Waterfront Commercial can be redesignated in the unincorporated area to ensure that there is no loss of the total working commercial waterfront lands in the County.~~
- ~~That the existing Marine Waterfront Commercial uses on the site proposed for conversion to residential uses can be replaced by developing similar land uses on the same parcel or on a different parcel not already designated as Marine Waterfront Commercial, including combinations of on-site and off-site improvements.~~
- ~~That a particular parcel of land designated as Marine Waterfront Commercial has limited development or redevelopment potential for Marine Commercial Waterfront uses due to changes in the surrounding area or government regulations related to marine waterfront commercial uses.~~

~~**Policy 2.2.4-c:** By December of 2007, the Planning Division shall establish and maintain an inventory of all commercial working waterfronts that have been designated~~

as Marine Waterfront Commercial in order to establish and track a no net loss of working commercial waterfronts to residential waterfront development or redevelopment.

C. Coastal Management Element, Marine Waterfront Commercial Overlay

REVISIONS: To revise and update. The revisions are shown below with the added text underlined, and the deleted text ~~struck out~~.

Assessment and Conclusions

3. Protection of Waterfront Lands

Water-related activities and sports are part of the daily life in South Florida. Access to public waterfront is an amenity that adds to ~~our~~ the quality of life and makes Palm Beach County a desirable place/destination for residents as well as tourists. Current and future population growth will increase the demand for boat ramps, water access, waterfront recreational areas and marine service businesses. Many working waterfronts are experiencing a decline in economic activity due to market forces and demands for waterfront property and other trends affecting small-scale commercial businesses. Consequently, loss of commercial and recreational waterfront to residential development and the relative diminishing access to boat launch facilities may have a long term adverse impact on the quality of life. In addition, escalating prices for coastal property make it difficult for local governments to purchase new access points to meet this growing demand. ~~Moreover, in addition to a deficit of waterfront access and recreational areas, market trends are forcing the conversion of commercial waterfront marine sites to residential development.~~

Waterfront lands provide a link between land and water that is critical to sustaining a diverse and thriving coastal economy. Both small and large marinas are giving way to residential development as waterfront property values have soared. There is a great concern that ~~if nothing is done to curb this development trend that~~ and future losses of waterfront facilities will negatively impact the economy and bring an end to critical marine services such as boatyards, commercial marinas that are available to the public, and trades associated with commercial marina and other water-dependent uses. The County's Comprehensive Plan includes objectives and policies to protect and encourage the development of marine waterfront commercial within both unincorporated County and incorporated County, where the majority of the County's marinas are located. Most ~~marine commercial waterfront lands are in the municipalities. In order to have an effective "no net loss" policy of existing commercial waterfronts countywide, Palm Beach County shall coordinate with key municipalities that currently have the majority of commercial waterfronts property, and shall also encourage them to incorporate/add similar policy in the comprehensive plans and zoning codes of the affected jurisdictions. These municipalities are Jupiter, Palm Beach Gardens, North Palm Beach, Riviera Beach, Palm Beach Shores, West Palm Beach, Lantana, Hypoluxo, Delray Beach, Pahokee and Belle Glade. Other municipalities with waterfront access not currently dedicated to recreational and commercial waterfront uses may want to join the County and other municipalities in addressing this problem.~~

OBJECTIVE 1.5: Protection of Commercial and Recreational Marine Waterfronts

Palm Beach County shall implement a strategy that provides regulatory incentives and criteria to encourage the preservation of recreational and commercial working waterfronts.

REVISED Policy 1.5-a: The County shall implement strategy ies to protect working commercial and recreational marine private and public waterfronts by pursuing ~~shall include but not be limited to the following actions:~~

1. Participating in Waterfronts Florida Partnership Program. This program helps participating communities develop a plan to revitalize, renew and promote interest in their waterfront districts;
2. Partnering and working with key municipal governments with jurisdiction over the commercial waterfront areas to ensure that their Comprehensive Plans include provisions and features that protect and preserve existing marine dependent sites;
3. Considering issuing additional bonds to finance the purchase of waterfront property and marine uses through referendum;

4. ~~Adopting provisions that would allow~~ Limiting redevelopment within the Marine Waterfront Commercial Overlay to projects that only if it maintains or expands commercial and recreational marine waterfront uses consistent with the CME Objective 2.5-Post Disaster Redevelopment and/or Future Land Use Element Sub-Objective 1.2.7;
5. ~~Creating a marine waterfront commercial land use category depicted in the Future Land Use Atlas to reflect existing and future commercial working waterfront uses consistent with s.342.07, F.S.;~~
6. ~~Creating a commercial waterfront zoning district;~~
7. ~~Establishing a "no net loss" policy to ensure that the total amount of land devoted to commercial marine services is not reduced over time;~~
85. Investing directly in recreational and commercial working waterfront property preservation, either through purchase of property or purchase of the development rights to the property;
96. Encouraging the Parks and Recreation Department to purchase waterfront lands where feasible, to establish public marinas and related facilities;
107. ~~Considering~~ Exploring a concept similar to the Transfer of Development Rights TDRs Program to "transfer" marine uses to other suitable sites;
118. ~~Conditioning~~ Amending the Unified Land Development Code to require waterfront residential developments to reserve ~~have or preserve~~ a portion of the site for marinas and/or public access;
129. ~~Using of~~ Encouraging the use of "canal spillways" connected to the Intra-coastal Waterway to create working waterfronts in coordination with the South Florida Water Management District SFWMD and other special districts, including building of docks and other facilities;
13. ~~Incorporating by reference the ERM's Manatee Protection Plan and the Public Boating Needs Assessment Study 2002 from Parks and Recreation Dept. into the Plan to determine current and future boating demand for saltwater and freshwater access; and~~
1410. Securing pedestrian access to waterfronts and enhancing existing waterfronts parks to develop public marinas where feasible, ~~by the County/municipalities.~~

EXHIBIT 6

A. Future Land Use Element, Economic Element Deletion

REVISIONS: To amend the Future Land Use Element. The revisions are shown with the added text underlined, and the deleted text ~~struck-out~~.

OBJECTIVE 2.1 Balanced Growth

DELETE Policy 2.1-j: ~~The County shall consider in the future land use planning process, the economic development objectives described in the Economic Element.~~

ADD Policy 2.1-j: Palm Beach County shall maintain the flexibility to respond to changing economic conditions while guiding future economic development through implementation of the Strategic Economic Development Plan adopted by the Board of County Commissioners on March 13, 2007. This will assist the County in maintaining a balanced, diversified and resilient economy.

B. Capital Improvement Element, Economic Element Deletion

REVISIONS: To amend the Capital Improvement Element. The revisions are shown with the added text underlined, and the deleted text ~~struck-out~~.

OBJECTIVE 1.4 Criteria for Prioritizing Capital Improvements

NEW Policy 1.4-g: When prioritizing capital projects for inclusion in the annual Capital Improvement Program, County departments shall give special consideration to projects that address economic development and/or service and infrastructure issues relating to the Strategic Economic Development Plan adopted by the Board of County Commissioners on March 13, 2007.

C. Economic Element, Economic Element Deletion

REVISIONS: To delete the Economic Element. The element text is shown struck out.

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~~History: Adopted: 08/31/89, Ord. No. 89-17, Effective 09/11/89~~
~~Revised: 09/19/90, Ord. No. 90-32, Effective 10/04/90~~
~~Revised: 12/16/91, Ord. No. 91-48, Effective 12/27/91~~
~~Revised: 06/14/93, Ord. No. 93-09, Effective 06/28/93~~
~~Revised: 09/22/97, Ord. No. 97-32, Effective 12/03/97~~
~~Revised: 09/18/00, Ord. No. 2000-31, Effective 11/14/00~~
~~Revised: 08/27/01, Ord. No. 2001-47, Effective 10/22/01~~
~~Revised: 05/10/05, Ord. No. 2004-34, Effective 05/10/05~~

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ECONOMIC ELEMENT

I. INTRODUCTION

A. Purpose

The Economic Element is an optional element under Rule 9J-5, F.A.C. Palm Beach County decided in 1989 to create this optional element in recognition of the importance of managing the County's economic development. This element complies with the requirements of Rule 9J-5 F.A.C. for optional elements.

B. Assessment and Conclusions

The economic goal of the County is to create a balanced and diversified economy. By encouraging diversification of its economic base, the County is continuing to build a stronger, more balanced and resilient economy. The County has made great strides in laying a foundation for a balanced and diversified economy by focusing their economic development efforts, while maintaining the flexibility to respond to changing conditions. Areas which have received focused attention include:

1. Agricultural retention and expansion of the equine industry.

Despite strong development pressures, acreage in agricultural production has remained relatively stable. Total agricultural production has increased, although some agricultural products have declined in value.

2. Encouraging growth in cluster industries, and small businesses.

Present cluster industries include communications and computers, agriculture and food processing, business and financial services, aerospace and engineering, and medical products. With the exception of medical products, these industries were highlighted by an earlier study as target high growth clusters. The County encourages employment growth in high growth industries and small businesses through various programs and public/private partnerships. In addition various programs are being developed and implemented which link educational curriculum and training to the present and future needs of businesses.

3. Encouraging growth of year round tourism.

Tourism is the most influential component driving seasonal employment in retail and service sectors. The seasonal fluctuation in retail employment has been minimized through encouraging the growth of year round tourism.

These focus areas are complemented by an appreciation of the importance of international commerce, a philosophy that growth should pay its own way, and a commitment to flexibly respond to changing economic conditions through ongoing evaluation which will ensure that focus areas and concomitant objectives and policies will be updated as appropriate.

II. GOAL, OBJECTIVES, AND POLICIES

GOAL 1 BALANCED AND DIVERSIFIED ECONOMY

The economic GOAL of Palm Beach County is to create a balanced and diversified economy. A balanced and diverse economy will encourage growth that provides viable employment opportunities for present and future residents, while supporting land use policies which protect and improve the quality of the natural and manmade environment.

OBJECTIVE 1.1 Balanced Economic Growth Implementation

Palm Beach County shall maintain and expand a diversified economy by:

1. implementing land use policies which focus on agricultural retention and expansion of the equine industry;

2. encouraging growth in cluster industries, presently defined as communications and information technology, medical products, agriculture and food processing, business and financial services, aerospace and engineering, tourism, recreation and entertainment, science and technology and other emerging cluster industries which

3. —encouraging the growth of year round tourism, as set forth in Objective 1.3. small businesses, as set forth in Objectives 1.2 and 1.4; and complement changing economic conditions, and other high paying job sectors, and

Policy 1.1-a: The County shall purchase land, as well as acquire development rights, for the preservation of agricultural land in the Agricultural Reserve Tier. **Policy 1.1-b:** The County shall support the expansion of the equine industry where it is compatible with land use needs and issues.

Policy 1.1-c: The County shall improve economic conditions in the Development Regions, characterized by low and moderate income levels, including redevelopment of the coastal regions and Glades area.

Policy 1.1-d: The County shall continue to attract industries and employers in cluster industries and enhance the film, television and marine sectors, and work to foster the growth of small businesses.

Policy 1.1-e: The County shall encourage balanced growth in retail trade and services through land use planning and zoning. The County shall maintain a level of growth in the retail trade and service sectors to avoid over supply commercial conditions using policies identified in the Comprehensive Plan.

Policy 1.1-f: In order to accommodate balanced growth and the housing needs of the County's labor force, affordable housing shall continue to be made available to persons earning a livelihood or choosing to reside in Palm Beach County through the Goal, Objectives and Policies of the Housing Element.

Policy 1.1-g: To facilitate the retention and development of agricultural related businesses, the County shall support programs to enhance the viability and marketability of agriculture. To provide incentives for agricultural economic development, stabilization, and enhancement, the County shall continue to advertise, fund, and implement an agricultural economic development program through the County Cooperative Extension Service Department.

Policy 1.1-h: The County Brownfield Procedure established in 1998 shall be implemented by the Planning Division, in cooperation with other County Departments and agencies, to address brownfield redevelopment in response to private sector requests.

OBJECTIVE 1.2 —Increased Growth in Cluster Industries

1.1. The Business Development Board shall monitor growth through increases in the employment and average wages for the industries, and report to the Overall Economic Development Program (OEDP) Committee as appropriate. The OEDP provides oversight to the Economic Development Coordinator's Office.

Policy 1.2-a: The County shall continue supporting the Palm Beach County Business Development Board in its effort to retain and attract manufacturing and non-manufacturing businesses. The County shall continue supporting the Palm Beach County Business Development Board's international program.

Policy 1.2-b: The County shall maintain and develop programs to encourage and facilitate the expansion or relocation of industry providing goods and services and to expedite such development, including, but not limited to:

- continuing to revise the Land Development Code where opportunities for streamlining the approval process are identified and can be accomplished; and
- continuing to work with the Palm Beach County Business Development Board to facilitate better relations between government and the manufacturing sector.

Policy 1.2-c: The County shall support the creation of business centers close to transportation centers which stimulate intermodal transport and transit. In addition, the Economic Development Office shall coordinate activities with other appropriate agencies and provide incentives for the creation of business/industrial complexes at interchanges along major transportation corridors, consistent with industry-clustering strategies.

OBJECTIVE 1.3 — Moderate Seasonality in Employment

Increases in year round tourism shall moderate seasonal employment fluctuations in the retail and service sectors. _____

Policy 1.3-a: At least 50 percent of the funds generated by the "bed tax" shall continue to be conveyed to the Tourist Development Council for the purpose of promoting tourism.

Policy 1.3-b: The Tourist Development Council shall promote growth in year round tourism.

OBJECTIVE 1.4 — Increased Opportunity for Small Business Enterprises

Palm Beach County shall support efforts to increase the number, viability, and growth of small business enterprises to further strengthen and diversify the economy.

Policy 1.4-a: The County shall maintain staffing within the Office of Small/Minority/Women Business Assistance (commonly referred to as the Office of Small Business Assistance: OSBA), which shall be responsible for collecting, developing and disseminating information related to small business opportunities, and minority and women business enterprises, and developing measurable targets for success and an annual monitoring program.

Policy 1.4-b: The County shall continue to allocate incentive funds for infrastructure projects within the Revitalization/Redevelopment Overlay to encourage private investment. Allocation of funds shall be based on positive impacts such as an increased tax base, sustainable employment base or residential units.

Policy 1.4-c: The County, through the Economic Development Coordinator's Office, shall continue to develop and implement incentives to encourage small business development in the Revitalization and Redevelopment Overlay and adjacent and/or directly impacted commercial or industrial areas.

Policy 1.4-d: The County shall continue to encourage and support, as appropriate, a loan fund program to assist small businesses in the Revitalization and Redevelopment Overlay.

OBJECTIVE 1.5 — Minimize Local Tax Burden on Taxpayers while Funding Facilities and Services Needed to Support Economic Growth

Palm Beach County shall continue to minimize the property tax payer's burden by shifting the burden of the costs of County government facilities and services to the groups or individuals for whom the facilities and services are provided. The County shall maintain the use of impact fees, user fees, and enterprise fees as revenue sources. The County shall endeavor to minimize millage rate increases.

Policy 1.5-a: The County supports the principle that growth should pay its proportionate share of the cost of development, by the continued use of impact fees and by continuing to pursue other appropriate revenue sources for financing the construction or purchase of capital facilities necessary to service new development. Changes in impact and user fees should be based on changes in the cost of providing capital facilities. The Office of Financial Management and Budget shall conduct a biennial review of impact fees, and may recommend revisions as needed.

Policy 1.5-b: The Business Development Board shall encourage studies to be conducted to determine the effect of increased fees/taxes on business attraction and retention. It may be appropriate to revise fiscal policies if such studies reveal the total burden is significantly detrimental to the County's economy.

OBJECTIVE 1.6 — Availability of Educational and Training Opportunities

The County shall make every effort to improve the public education system in order to encourage industry to locate or expand in Palm Beach County. The County shall encourage

~~participation of businesses, economic and educational leaders and institutions in setting objectives and policies.~~

~~**Policy 1.6-a:** The County shall encourage education and training institutions to provide education and research programs that meet the needs of goods and services industries, and encourage supplemental education to support existing businesses and programs to stimulate new business development.~~

~~**Policy 1.6-b:** The Workforce Development Board shall continue to provide assistance for business technical training.~~

OBJECTIVE 1.7 — Evaluate Economic Progress

~~The County recommends maintaining the momentum for economic growth through ongoing evaluation of economic development activities.~~

~~**Policy 1.7-a:** The Board of County Commissioners shall consider convening an Economic Summit through the Economic Development Office every five years, or as appropriate, in order to maintain the momentum for economic growth.~~

~~**Policy 1.7-b:** The Economic Development Coordinator's Office shall continually evaluate the appropriateness of economic development goals, objectives and policies. The Economic Development Coordinator's Office shall periodically update the Economic Development Business Plan, as part of the ongoing evaluation of economic development activities. The County shall use the best available information to guide the preparation of new economic development objectives and policies and recommend revisions to the Comprehensive Plan as needed.~~

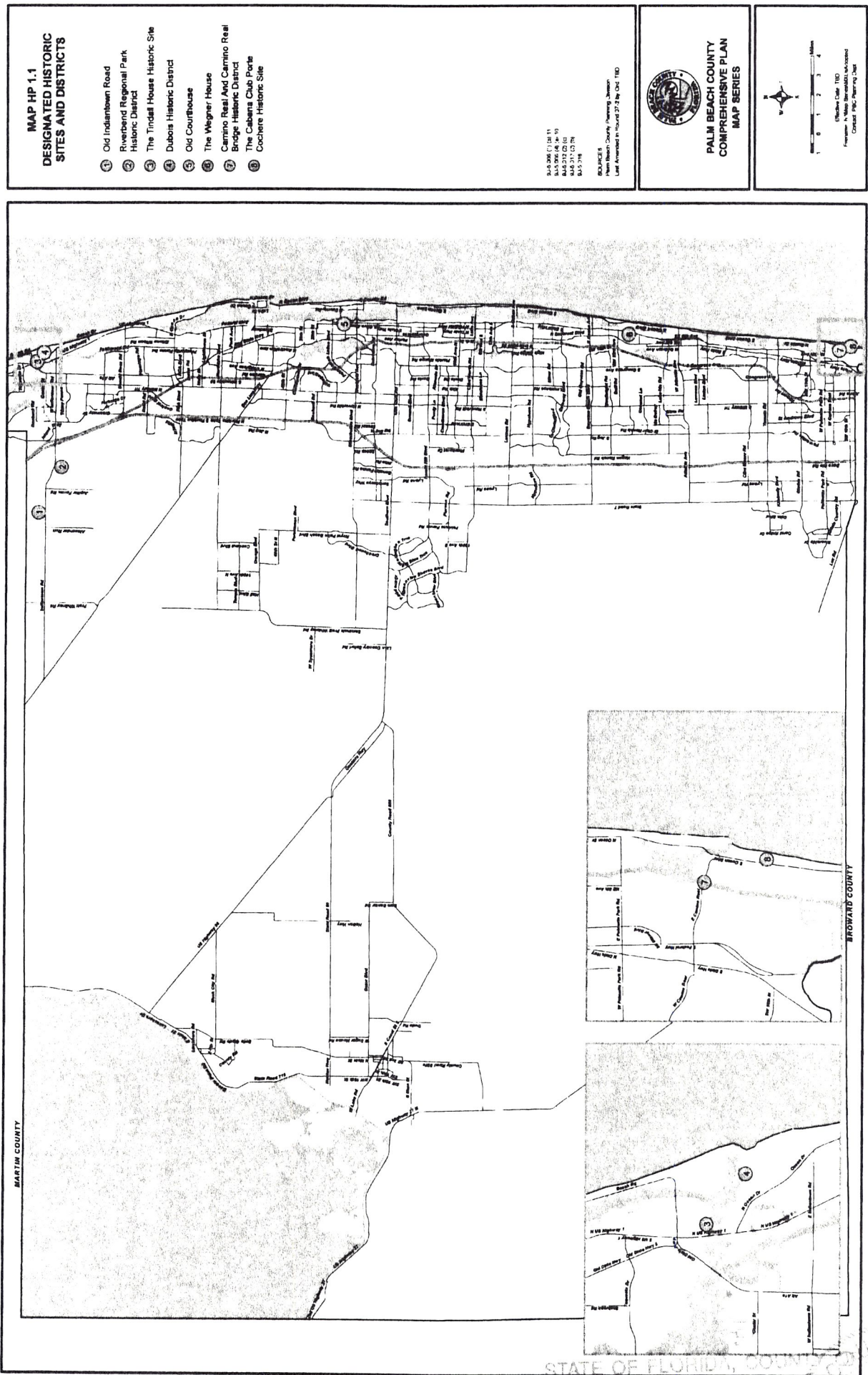
~~**Policy 1.7-c:** The Economic Development Coordinator's Office shall consider the role of international commerce in economic development when evaluating objectives and policies. The County shall consider the needs of international commerce in preparing the consolidated Transportation Element, covering the Port of Palm Beach, the Palm Beach International Airport, roadway network and mass transit.~~

~~**Policy 1.7-d:** The County, through the Economic Development Coordinator's Office and the Business Development Board, shall continue to market and implement performance-based incentive programs which provide for grant and/or loan funds and reimbursement for certain fees/taxes for businesses locating or expanding in Palm Beach County.~~

EXHIBIT 7

A. Map Series, Map HP 1.1 Designated Historic Sites and Districts, Historic Resources Update

REVISIONS: To update to add three historic sties and one historic district that have been designated by the BCC since the map was last updated in 1999



STATE OF FLORIDA, COUNTY OF PALM BEACH
I, SHARON R. BOON, Clerk of the County, do hereby
certify this to be a true and correct copy of the original
filed in my office on November 26, 2007
dated at West Palm Beach, Florida 12/11/07
By: Diene Brown, Deputy Clerk